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Attorneys for Federal Defendants

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

\*E-FILED - 11/9/06\*

RAYMUNDO FERDIN,

Plaintiff,

v.

MICHAEL W. WYNNE, SECRETARY,  
 DEPARTMENT OF THE AIR FORCE,  
 DEPARTMENT OF THE AIR FORCE,

Defendants.

Case No. C 06-03235 RMW

**STIPULATION AND []  
 ORDER CONTINUING CASE  
 MANAGEMENT CONFERENCE**

The parties to this action hereby stipulate and request as follows:

Plaintiff filed this action on May 15, 2006. The Office of the United States Attorney for the Northern District of California was served on July 17, 2006. Pursuant to a request by made defendants' counsel and granted by plaintiff's counsel, defendants' response to the complaint was due September 29, 2006. Defendant filed a motion to dismiss and originally scheduled it for hearing on November 17, 2006. At the parties request, the case management conference was rescheduled to November 17, 2006 to coincide with the motion to dismiss. Defendant's counsel then informed plaintiff's counsel that she had received notice of a Ninth Circuit Court of Appeal oral argument on November 17, 2006. Accordingly, defendant renoticed the motion to dismiss for hearing on December 1, 2006.

1 The parties now STIPULATE AND REQUEST that the Court issue the attached  
2 proposed order continuing the case management conference to a date on or after the December 1,  
3 2006 hearing date for the motion to dismiss.

4 Respectfully submitted,  
5 DATED: October 26, 2006 KEVIN V. RYAN  
6 United States Attorney

7  
8 /s/  
CLAIRE T. CORMIER  
9 Assistant United States Attorney

10 WOODSON & ALLEN, LLP

11  
12 DATED: November 3, 2006 /s/  
13 WILLIAM N. WOODSON, III  
Attorney for Plaintiff

14  
15 **ORDER**

16 Pursuant to the stipulation of the parties and good cause appearing, the case management  
17 conference for this case is rescheduled from November 17, 2006 to December 1, \_\_\_\_\_,  
18 2006 at 10:30 \_\_\_\_\_ a.m.

19 IT IS SO ORDERED.

20  
21  
22 DATE: 11/9/06 \_\_\_\_\_ /s/ Ronald M. Whyte  
23 Ronald M. Whyte  
United States District Judge